

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF OKLAHOMA

3 STATE OF OKLAHOMA, ex rel.  
4 W.A. DREW EDMONDSON, in his capacity as  
5 ATTORNEY GENERAL OF THE STATE OF  
6 OKLAHOMA, and OKLAHOMA SECRETARY  
7 OF THE ENVIRONMENT C. MILES TOLBERT,  
8 in his capacity as the TRUSTEE FOR NATURAL  
9 RESOURCES FOR THE STATE OF OKLAHOMA,

10 Plaintiffs,

11 vs. No. 05-CV-0329 GFK-SAJ

12 TYSON FOODS, INC., TYSON POULTRY, INC.,  
13 TYSON CHICKEN, INC., COBB-VANTRESS, INC.,  
14 AVIAGEN, INC., CAL-MAINE FOODS, INC.,  
15 CAL-MAINE FARMS, INC., CARGILL, INC.,  
16 CARGILL TURKEY PRODUCTION, LLC,  
17 GEORGE'S, INC., GEORGE'S FARMS, INC.,  
18 PETERSON FARMS, INC., SIMMONS FOODS, INC.,  
19 and WILLOW BROOK FOODS, INC.,

20 Defendants.

21 VIDEO DEPOSITION OF DANIEL JOSEPH PARRISH  
22 TAKEN ON BEHALF OF THE DEFENDANTS  
23 ON JANUARY 14, 2008, BEGINNING AT 9:37 A.M.  
24 IN OKLAHOMA CITY, OKLAHOMA

25 Videographer: Stephanie Britton  
Reported by: Lana L. Phillips, CSR, RPR

1 Cal-Maine defendants.

2 MR. TUCKER: John Tucker for  
3 Cargill.

4 MS. GRIFFIN: Jennifer Griffin for  
5 Willow Brook Foods.

6 THE VIDEOGRAPHER: The court  
7 reporter will now swear the witness.

8 DANIEL JOSEPH PARRISH,  
9 having been first duly sworn, deposes and says in  
10 reply to the questions propounded as follows:

11 DIRECT-EXAMINATION

12 BY MR. McDANIEL:

13 Q Good morning, sir.

14 A Good morning.

15 Q Would you state your full name,  
16 please.

17 A Daniel J. Parrish, P-a-r-r-i-s-h.

18 Q What does the J stand for?

19 A Joseph.

20 Q Okay. Sir, what is your employment?

21 A I'm employed with the Oklahoma  
22 Department of Agriculture, Food, and Forestry.

23 Q What's your title or your position?

24 A I am title of the Agricultural  
25 Environmental Management Services division,

1                   The title of this page is Poultry  
2 Litter Transfer.

3                   Do you see that?

4           **A**       Yes.

5           **Q**       Tell me what -- tell me what this is  
6 about.

7                   Is there a program administered by  
8 ODAFF, related to transferring of poultry litter?

9           **A**       Yes.

10          **Q**       Explain it, please.

11          **A**       Years ago, the division was  
12 receiving calls, and I personally was receiving  
13 calls, from either citizens or farmers wanting to  
14 buy poultry waste and did not know how to obtain  
15 it, and also from those who were producing  
16 poultry waste, that did not have enough people to  
17 be able to sell all their waste to.

18                   So the Department set up, put  
19 together a program and a hotline, with the 800  
20 number being at the Tulsa Department of  
21 Agriculture office, and then we maintained a  
22 website in the beginning.

23                   Because of lack of staff, we could  
24 not do that. That's how Oklahoma State came into  
25 the picture.

1           Q     All right. Looking at this Exhibit  
2     11, in the last sentence of the first paragraph,  
3     it says: "Outside of watershed areas, however,  
4     there are soils which can greatly benefit from  
5     the application of this material which helps  
6     build soil with nutrients and organic matter."

7                     Did I read that correctly?

8           A     Yes, you did.

9           Q     Do you agree that sentence describes  
10    benefits of the use of the poultry waste?

11          A     Yeah. In some specific areas.  
12    Because I'm the one that wrote that sentence, so  
13    yes, I do believe --

14          Q     Oh, you wrote the sentence?

15          A     Yes, sir.

16          Q     Okay. Did you write all this text  
17    on this page?

18          A     I believe so. It might have been  
19    updated by Oklahoma State University when they  
20    came on board, but most of it, yes, I did.

21          Q     The -- well, since you wrote that,  
22    you would agree, then, that poultry waste serves  
23    not -- can serve not only as a fertilizer, but  
24    also as a valuable soil amendment.

25                     You agree with that?